

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS (Worcester)**

Anthony Campbell,)	
)	
Plaintiff,)	
vs.)	
)	Case No. 04-40236 FDS
)	
Isolation Technologies, Inc.)	
Larry D'Amato)	
Defendants)	

**MOTION OF DEFENDANT, ISOLATION TECHNOLOGIES, INC.,
TO COMPEL RULE 26(a) DISCLOSURE AND
FOR SANCTIONS
Fed.R.Civ.P. 37(a)(2)(A)**

Defendant, Isolation Technologies, Inc., pursuant to Fed.R.Civ.P. 37(a)(2)(A), hereby moves this Court to compel the Plaintiff, Anthony Campbell, to comply with its order for Initial Disclosures, pursuant to Fed.R.Civ.P. 26(a)(1), and for sanctions as appropriate. In support of this motion, the aforesaid Defendant states as follows:

1. By Scheduling Order, dated March 29, 2005, this Court ordered that "Initial disclosures required by Fed.R.Civ.P.26(a)(1) must be completed by 4/15/05." (the "Order")
2. On April 15, 2005, the Defendant, Isolation Technologies, Inc. (the "Defendant"), filed and served upon the Plaintiff its Initial Disclosures.
3. The Plaintiff neither filed nor served his Initial Disclosures on April 15, 2005.
4. On Friday, April 22, 2005, the undersigned attempted to reach the Plaintiff to discuss his non-compliance with the Order, by calling the telephone number on file with the Court and leaving a message on an answering machine at said telephone number.
5. By letter, dated April 25, 2005, the undersigned mailed a letter to the Plaintiff following up on the aforementioned telephone call and seeking to discuss the Plaintiff's non-compliance with the Order.
6. As of the date of this Motion, the Plaintiff has not filed his Initial Disclosures, the same not appearing on the docket of the Court, nor has he served them upon the Defendant.
7. As of the date of this Motion, the Plaintiff has not contacted the undersigned.

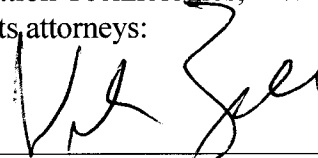
Now therefore, the Defendant, Isolation Technologies, Inc., prays that this Court order as follows:

- i. That the Plaintiff's Complaint be dismissed for failure to comply with the Order; or
- ii. That the Plaintiff be ordered to file and serve upon the Defendant, Isolation Technologies, Inc., his Initial Disclosures within 7 days after the date of the Court's order on this Motion, and that his Complaint be dismissed for any failure to do so; and
- iii. That the aforesaid Defendant be relieved from the deadlines of the Scheduling Order as apply to Amendments and Discovery, and that the Court extends any such deadlines to reflect time lost due to the Plaintiff's non-compliance; and
- iv. That the Plaintiff be ordered to pay the costs incurred by the aforesaid Defendant in bringing this Motion and order that such payment is made before said Defendant is required to take any further action in this defense; and
- v. That this Court order such other relief as it deems just and proper.

Respectfully submitted,

Isolation Technologies, Inc.

By its attorneys:

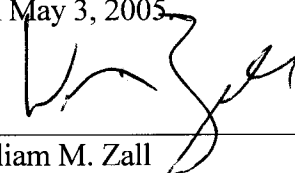


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Dated: May 3, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the Plaintiff, Anthony Campbell, appearing pro se by first class, pre-paid mail on May 3, 2005.



William M. Zall